

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

HUNT REFINING COMPANY, a)	
corporation,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:23-CV-04540-
)	ELR
C & H PAVING, INC., a)	
corporation, and BENJAMIN C.)	
CRANFORD,)	
)	
Defendants.)	

**PLAINTIFF HUNT REFINING COMPANY’S MOTION FOR DEFAULT
JUDGMENT AGAINST DEFENDANT C & H PAVING, INC.**

Plaintiff Hunt Refining Company (“HRC”) files this motion for default judgment against Defendant C & H Paving, Inc., also known as C and H Paving, Inc., (“C&H”)¹ pursuant to Federal Rule of Civil Procedure 55(b)(1) and would respectfully show as follows:

1. Plaintiff filed its Verified Complaint with this Court on October 5, 2023.

¹ Consistent with the manner in which C&H conducted business with Plaintiff, HRC named the Defendant as “C & H Paving, Inc.” (Verified Complaint, ¶ 2 [Doc. 1]). The individual Defendant, Cranford, does not take issue with that designation. (Cranford’s Answer, ¶ 2 [Doc. 9]). However, HRC has learned the corporate defendant is incorporated as “C and H Paving, Inc.” (see Articles of Incorporation, Exhibit A) and requests that the judgment reflect that corporate name.

2. The Complaint and Summons were served on the Defendant C&H through its registered agent for service of process, Benjamin C. Cranford (“Cranford”), on October 13, 2023.

3. The Complaint and Summons were served on the Defendant Benjamin C. Cranford via personal service on October 13, 2023. On November 2, 2023, Defendant Cranford answered the verified complaint.

4. As of this filing, Defendant C&H has not responded to the verified complaint.

5. Pursuant to Rule 12(a)(1) of the Federal Rules of Civil Procedure, the deadline for C&H to file an Answer to the Complaint has passed.

6. To date, C&H has failed to answer or otherwise respond to the Complaint.

7. Because C&H has failed to answer or otherwise respond to the Complaint, Plaintiff is entitled to default judgment against C&H.

8. Simultaneously with the filing of the motion, HRC has requested the Clerk to enter the default of C&H, pursuant to Fed. R. Civ. P. 55(a), since C&H was duly and lawfully served and the time for it to answer, plead, or otherwise defend has expired.

WHEREFORE,

Hunt Refining Company respectfully requests entry of default judgment in its favor and against Defendant C & H Paving Inc., also known as C and H Paving, Inc., as follows:

1. For a judgment against Defendant C & H Paving, Inc., a/k/a C and H Paving, Inc., in the amount of 839,134.45 (the amount owed as of September 30, 2023) plus additional interest at a daily rate of \$342.68 from October 1, 2023, plus court costs, supported by the Affidavit of George Thagard attached as Exhibit B.
2. For such other and further relief the Court deems just and appropriate.

DATED: November 21, 2023

Respectfully submitted,

/s/ Richard H. Monk III

Attorney for Plaintiff Hunt Refining
Company

OF COUNSEL

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed with the Clerk on this 21st day of November, 2023, and will be served via Certified Mail on the following parties:

C&H Paving, Inc.
c/o Registered Agent, Benjamin C. Cranford
204 Main Street
PO Box 1809
Thomson, GA, 30824

Benjamin C. Cranford
204 Main Street
PO Box 1809
Thomson, GA, 30824

/s/ Richard H. Monk III
OF COUNSEL